



MAIL STOP PETITION
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/686,629
Filing Date: October 17, 2003
Applicant(s): Herbert BRUDER et al.
Conf. No.: 8906
Group Art Unit: 2882
Examiner: Unknown
Title: IMAGING METHOD FOR A MULTI-SLICE SPIRAL
CT SCAN, AND A COMPUTER TOMOGRAPHY UNIT
FOR CARRYING OUT THIS METHOD
Attorney Docket: 32860-000635/US

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 2, 2004

PETITION UNDER 37 CFR § 1.42 - 1.47 FOR
ACCEPTANCE OF AN APPLICATION MISSING AN INVENTOR

Sir:

Applicants respectfully petition for acceptance of the above-identified application absent a declaration signed by inventor Kwok Tam. The inventors Herbert Bruder, Guenter Lauritsch, Karl Stierstorfer, and Kwok Tam were employees of SIEMENS AKTIENGESELLSCHAFT when the invention was made. However, the inventor Kwok Tam is no longer employed with SIEMENS AKTIENGESELLSCHAFT. Mr. Kwok Tam has refused to execute the present Declaration.

A copy of the application papers was sent to the last known address of inventor Kwok Tam.

A Declaration of Dr. Norbert Moritz in support of the present Petition Under 37 C.F.R. §1.47(a) is enclosed. As set forth above and on the attached Declaration, a bonafide attempt was made to present a copy of the application papers to inventor Kwok Tam, however, he refused to accept delivery of the papers and expressly stated that the application should not be sent.

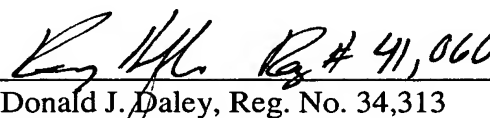
A Declaration signed by co-inventors Herbert Bruder, Guenter Lauritsch and Karl Stierstorfer, on behalf of themselves is further attached.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By  Reg. # 41,060
for Donald J. Daley, Reg. No. 34,313
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/bof



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DECLARATION OF DR. NORBERT MORITZ IN SUPPORT OF
PETITION UNDER 37 C.F.R. §1.47(a)**

Applicant(s): Herbert BRUDER et al.
Serial No: 10/686,629
Filed: October 17, 2003
Title: IMAGING METHOD FOR A MULTI-SLICE SPIRAL CT SCAN,
AND A COMPUTER TOMOGRAPHY UNIT FOR CARRYING
OUT THIS METHOD
Attorney Docket: 32860-000635/US

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Norbert Moritz, declare and state as follows:

1. I am a patent engineer employed in the Patent Department of Siemens Aktiengesellschaft.
2. Siemens Aktiengesellschaft is the owner of the above-referenced United States patent application by virtue of assignment from three of the four co-inventors. A copy of the Assignment is attached hereto as Attachment A.
3. Under my supervision, a copy of the above-identified application, and the Declaration and the Assignment for that application, were sent to Mr. Kwok Tam by courier on 9 December 2003 at his last known address: 24 Sagamore Avenue, Edison, New Jersey 08820. A copy of the printout from the tracking service of the courier that was employed is attached hereto as Attachment B, evidencing


transmission by courier to Mr. Tam and confirming receipt of the couriered documents by Mr. Tam.

4. Neither the Declaration nor the Assignment was returned to me, or those under my supervision, by Mr. Tam, and I therefore initiated a series of correspondence with my counterpart colleagues in the Patent Department for Siemens Corp. in the United States, in Edison, New Jersey. Copies of a series of emails in this correspondence are attached hereto as Attachment C. As evidenced by that correspondence, my colleagues in the Patent Department for Siemens Corp. also sent copies of the Declaration and the application to Mr. Tam at his last known address, but were unsuccessful in obtaining his signature on the Declaration.

5. Based on the above-described transmittal of the application and the Declaration to Mr. Tam, and based on the absence of any response from Mr. Tam, I believe it is reasonable to conclude that the conduct of Mr. Tam constitutes a refusal to sign the Declaration.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dr. Moritz
13. JULI 2004
Date: _____



Dr. Norbert Moritz

ATTACHMENT A

ASSIGNMENT

Atty. Docket No. 32860-000635/US

WHEREAS, the undersigned, hereinafter referred to collectively as Assignor, has invented:

IMAGING METHOD FOR A MULTI-SLICE SPIRAL CT SCAN, AND A COMPUTER TOMOGRAPHY UNIT FOR CARRYING OUT THIS METHOD

for which Assignor is about to make or has made United States or International application for patent

- (a) ☐ executed on even date preparatory to filing (each inventor should sign this Assignment on the same day as he/she signs the Declaration and Power of Attorney);
- (b) ☐ executed on _____, _____, _____; or
- (c) ☒ filed on October 17, 2003, and assigned Serial No. _____;
- (d) ☐ U.S. Patent No. _____, issued _____; and

WHEREAS, SIEMENS AKTIENGESELLSCHAFT, hereinafter referred to as Assignee, is desirous of acquiring an interest therein:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy whereof is hereby acknowledged, Assignor by these presents does sell, assign and transfer unto Assignee and its successors in interest, the full and exclusive right, title and interest in the United States of America and all foreign countries, including the right to claim priority under the laws of the United States, the Paris Convention, and any foreign countries, to the said invention as described in the aforesaid application, said application for patent and all Letters Patent therefor to be held and enjoyed by Assignee to the full end of the term for which said Letters Patent are granted and any extensions thereof as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made, and the right to recover for past infringements of, or liabilities for, any of the rights relating to any of said applications or patents resulting therefrom;

Assignor hereby covenants and agrees to execute all instruments or documents required or requested for the making and prosecution of any applications of any type for patent in the United States and in all foreign countries including, but not limited to, any provisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to letters patent any reissue, re-examination, or extension thereof, and for litigation regarding, or for the purpose of protecting title and to the said invention, the United States application for patent, or Letters Patent therefor, and to testify in support thereof, for the benefit of Assignee without further or other compensation than that above set forth;

Assignor hereby covenants that no assignment, sale or agreement or encumbrance has been or will be entered into which would conflict with this Assignment; and

Assignor hereby requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States of America to Assignee, and requests that any official of any country or countries foreign to the United States, whose duty it is to issue or grant patents and applications as aforesaid, to issue said Letters Patent, Utility Model Registration or Inventor's Certificate to Assignee.

The undersigned hereby grant(s) the law firm of Harness, Dickey & Pierce, P.L.C. the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

ASSIGNMENT

Atty. Docket No. 32860-000635/US

Herbert Bruder
Herbert BRUDER

Dec - 18 - 2003
Dated

Guenther Lauritsch
Guenther LAURITSCH

Dec - 16 - 2003
Dated

Karl Stierstorfer
Karl STIERSTORFER

Dec 18, 2003
Dated

R. Jaurath
Witness

Karl Kasper
Witness

Philipp B. ...
Witness

R. Jaurath
Witness

Karl Kasper
Witness

Günther ...
Witness

ATTACHMENT B

Home T&T Pages SPLS Services Kontakt Schließen Hilfe

SPLS
Siemens Procurement and Logistics Services

Siemens Procurement and Logistics Services

Siemens SPLS / T&T Portal

3 Logistics +++



Die angegebenen Zeiten beziehen sich auf den Standort des Kontrollpunktes, an dem die Sendungskontrolle erfolgt.

Hausfrachtbrief-nummer	Ort-Herkunft	Ort-Ziel	Status
<u>5500810136</u>	Nuernberg - Germany	South Plainfield, NJ - USA	Unterschrift von: TAM Sendung ausgeliefert Dezember 12, 2003 09:14 ✓

5500810136 - Detaillierter Bericht


Datum	Uhrzeit	Ort	Status
Dezember 10, 2003	17:02	Nuernberg - Germany	Sendung wurde abgeholt
Dezember 10, 2003	18:41	Nuernberg - Germany	Sendung verläßt Abgangsstation
Dezember 10, 2003	20:20	Nuernberg - Germany	Abgang ab DHL-Station in Nuernberg - Germany
Dezember 10, 2003	20:30	Nuernberg - Germany	Ankunft in der DHL-Station in Nuernberg - Germany
Dezember 11, 2003	01:14	Cologne - Germany	Abgang ab DHL-Station in Cologne - Germany
Dezember 11, 2003	02:36	East Midlands - UK	Abgang ab DHL-Station in East Midlands - UK
Dezember 11, 2003	05:25	New York City-Gateway, NY - USA	Ankunft in der DHL-Station in New York City-Gateway, NY - USA
Dezember 11, 2003	15:37	South Plainfield, NJ - USA	zur Auslieferung vorgesehen
Dezember 11, 2003	15:37	South Plainfield, NJ - USA	Sendung zur Aufbewahrung in der Station
Dezember 12, 2003	09:14	South Plainfield, NJ - USA	Sendung ausgeliefert

<Sendungsauskunft>

Filterauswahl:

    oder nach XPress Nr.

Sortieren nach:

Zeitraum:

MM/dd/yyyy

 MM/dd/yyyy

Xpress Nummer A Z	Kundenref. A Z	Empfängername A Z	Empfängerland A Z	TDL A Z	Status A Z	Dat
<input type="checkbox"/> X007879578		Herrn Kwok Tam	Vereinigte Staaten von Amerika	DHL	Zurückgemeldet	12-10



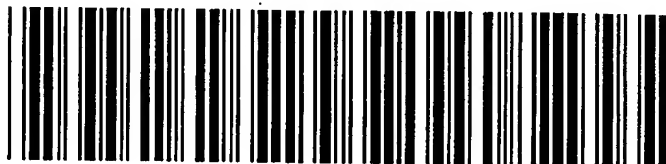
Ausführen

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XPRESS.Office-Auftragsnr: **X007879578**

Legen Sie bitte diesen Sendungsbegleitschein und die kompletten Belegpapiere Ihrem Versandstück bei.

An: Erl M

Hinweis für die Poststelle:

Absender

Siemens AG
Siemens AG CT IP S AE
Frau Zdenka Capek

Tel.: 09131 7-31840
Fax: 09131 7-31406
Email: Zdenka.Capek@erls.siemens.de

Paul-Gossen-Straße 100
91052 Erlangen
Deutschland

Kontoreferenz

AU000625,C=VE260*G=61500000*X=TRANSPORT,,0

Empfänger

Herrn
Dr. Kwok Tam

Tel.: 000
Fax:
Email:

24 Sagamore Avenue
08820 Edison
Vereinigte Staaten von Amerika
NJ - New Jersey

Sendung

Dienstleister: DHL

Kundennummer:

Kundenreferenznummer:

Service: DOX - Expressdienst für internat.
Dokumentensendungen (außerhalb EU)

Sendungstyp: Dokumentensendung
Waren-/Zollwert in EUR: 0,00

Warenbeschreibung:
Dokument

Gewicht in Kg: 1,00
L x B x H in cm: 0 x 0 x 0

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Hinweise: Dokumentensendungen und Warensendungen nur möglich, wenn:
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es sich um nicht ausfuhrgenehmigungspflichtige Sendungen handelt
und keine Gefahrgüter versendet werden
Andernfalls ist ein Abwickeln nur über die jeweilige Versandstelle möglich.

Anlagen: Sendungen ausserhalb der EU: Sendungsbegleitende Rechnung erforderlich
Sendungen in EU Länder (ohne D): Intrahandelsstatistik muss durch den Absender erfolgen

Es gelten die jeweiligen Transportbedingungen des ausgewählten Dienstleisters/Kurierdienstes.

Datum: 10.12.2003 11:01:26

Zusatzhinweise (handschriftlich):

2002P 10623 US

ATTACHMENT C

Otzelberger Annamaria

Von: Keller Elsa
Gesendet: Freitag, 2. Januar 2004 18:20
An: Otzelberger Annamaria
Betreff: RE: Erfinderunterschriften des Herrn Kwok Tam zu 2002P10629 US

Hallo Frau Otzelberger,

Mr. Kwok Tam is no longer employed with Siemens Corporate Research, Inc. and I have been told that he is not cooperative in signing documents for Siemens. I'm sorry but I cannot assist you.

Regards,
Elsa Keller

Elsa Keller
Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830
Tel. 732-321-3026
Fax 732-321-3014

>This message and any attachments are solely for the use of intended recipients. They may contain privileged and/or confidential information, attorney work product or other information protected from disclosure. If you are not an intended recipient, you are hereby notified that you received this email in error, and that any review, dissemination, distribution or copying of this email and any attachment is strictly prohibited. If you have received this email in error, please contact the sender and delete the message and any attachment from your system. Thank you for your cooperation.

-----Original Message-----

From: Otzelberger Annamaria [mailto:annamaria.otzelberger@siemens.com]
Sent: Friday, January 02, 2004 4:33 AM
To: Keller Elsa
Subject: Erfinderunterschriften des Herrn Kwok Tam zu 2002P10629 US

Sehr geehrte Frau Keller,

im Nachgang zum Mail vom 30.12.03 bitte ich Sie, dass Sie sich wegen der Unterschrift auch noch wegen der zweiten Anmeldung 2002P10629 US mit Herrn Dr. Kwok Tam in Verbindung setzen. Diese Unterlagen wurden am 09.12.03 mit Kurier an den Erfinder gesandt.

Mit freundlichen Grüßen
A. Otzelberger

Moritz Norbert

Von: Moritz Norbert
Gesendet: Montag, 27. Oktober 2003 14:40
An: Schwarz Stephan
Betreff: 2002 10629 - Tam Kwok

Hallo Herr Schwarz,

ich denke, wir können diesen Assignment-Fall (unabhängig davon, ob da nun ein Vertrag zwischen SCR und S AG vorliegt) genauso abfahren wie den von Frau Kleiber bearbeiteten Fakk 2002 10995.



WG: P03,0333
Assignment -2002 ...

Ein direktes Assignment auf S AG sollte möglich sein. Im aktuellen Fall hatte ich sogar die US-Kollegen schon vor einem Jahr aufgefordert, hier tätig zu werden.



FW: 200210629 /
2002E02790 - T...

Wie Sie sehen können, hat Kollege Don Paschburg seine TA aufgefordert, ein Assignment vorzubereiten. Haben Sie jemals eines erhalten. Ich kann mich an derartiges nicht erinnern. Am besten Sie fragen bei Frau Richmond nochmals nach, wo denn das Assignment bleibt.

Beste Grüße

Dr. Norbert Moritz
Patent Counsel
European Patent Attorney
Diplom-Physiker
SIEMENS AG
Corporate Intellectual Property
CT IP MED
Erl PG - Paul-Gossen-Straße 100
Tel.: +49 9131 7 32556
Fax: +49 9131 7 32226

Moritz Norbert

Von: Moritz Norbert
Gesendet: Montag, 22. September 2003 09:41
An: 'PASCHBURG DONALD'
Cc: Keller Elsa; RICHMAN VICKI; Schmidt Heinz
Betreff: AW: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Hallo Don:

please advise, whether the applications (DE, US), or which of them, shall be filed in the names of SCR too. I am asking because of Elsa Keller's email below.

In the case SCR wants to be co-applicant in one of the two applications, please tell me the relevant cost account of SCR, so that I can enter the correct share of costs into IPAS. In this case one assignment from Mr. Tam to SCR would be sufficient.

In the case SCR does not want to pay a share of costs and become co-applicant in one of the two applications, please provide an additional assignment from SCR to Siemens AG, or instead of that - if legally possible - a direct assignment from Mr. Tam to Siemens AG.

Thanks

Norbert

-----Ursprüngliche Nachricht-----

Von: PASCHBURG DONALD [mailto:Donald.Paschburg@siemens.com]
Gesendet am: Freitag, 19. September 2003 22:13
An: RICHMAN VICKI
Cc: Keller Elsa; Moritz Norbert
Betreff: FW: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Vicki;

Please prepare an Assignment for the above-identified patent application for Kwok Tam and email it to him. His new email is kwokctamnj@yahoo.com.
Thanks.

Don

-----Original Message-----

From: KELLER ELSA
Sent: Friday, September 19, 2003 4:10 PM
To: 'Moritz Norbert'
Cc: PASCHBURG DONALD; 'bernd.Milzarek@erls.siemens.de'
Subject: RE: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Dear Mr. Moritz,

At the time the invention was received and disclosed to you, Tom Kwok was an employee of SCR. Subsequently the application should have been filed in both companies name. We will arrange for an assignment from Mr. Tam to SCR. This assignment may then be used for filing and recording in the USPTO. If you have any questions, please call.

Regards,
Elsa Keller

-----Original Message-----

From: Moritz Norbert [mailto:norbert.moritz@siemens.com]
Sent: Friday, September 19, 2003 9:11 AM
To: 'Paschburg, Donald'
Cc: Keller Elsa; Kleiber Katrin; Milzarek Bernd
Subject: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Hallo Don:

one of the (4) inventors of the above mentioned invention is Kwok Tam, SCR. The invention was made in Germany during his visit here. We filed a German Patent application (DE 10245116, filing date 27.09.2002) in the name of Siemens AG (for details see attachment or IPAS). The application is in the interest of Med CT that has been charged of it. An US application will be filed soon.

Abstract: A procedure for creating an image (B) of an examination object (26) with an X-ray unit, in particular with a computer tomography device (1). The device (1) exhibits a multiple line X-ray detector array (5), an X-ray emitter (2) emitting a conical beam that can be rotated around a system axis (Z), and a positioning mechanism for positioning the examination object (26) in a direction parallel to the system axis (Z) at different Z positions relative to the X-ray emitter (2). The picture (B) is reconstructed from the raw data generated by the X-ray emitter (2). For this, raw data is generated both from a rotation scan and from a straight-line scan. During the straight-line scan, all radiography values used for picture reconstruction are recorded in one continuous straight-line scanning movement to enable a rotation scan with preferable continuous rotation of the X-ray emitter (2). In order to select a range of interest (ROI) of the investigation object (26) for the following rotation scan, a tomogram carried out before the actual rotation scan is the preferable straight-line measuring data set. The procedure enables a particularly fast collection of source data for the following 3D image reconstruction.

Fulltext can be found as usually in IPAS.

I had entered you as ZIS (=to be asked for foreign filing) in IPAS. But no decision had been entered. Thus I assume SCR is not interested in foreign filing (US etc.). Furthermore I expect that SCR is not interested in the DE-application.

As you may know it will be necessary to give information to the German Patent and Trademark Office how Siemens AG got the right to apply for patent (alone).

I would like to ask you to provide signed assignment forms that might also be used for the US application that is currently in work

Please check whether a direct assignment to Siemens AG is possible. I expect two signed assignment forms will be necessary

- a) assignment from Tam to SCR
- b) assignment from SCR to Siemens AG.

The assignment(s) might be in English. You may use forms that you use for US procedures, the forms however should at least assign rights for the US- and the DE-application. For the German office I need the documents not later than Dec. 01, 2003.

If you need additional information please contact me. Thank you for your assistance.

Kind regards

Dr. Norbert Moritz
Patent Counsel
European Patent Attorney
Diplom-Physiker
SIEMENS AG
Corporate Intellectual Property
CT IP MED
Erl PG - Paul-Gossen-Straße 100
Tel.: +49 9131 7 32556
Fax: +49 9131 7 32226

Moritz Norbert

Von: Moritz Norbert
Gesendet: Freitag, 19. September 2003 16:10
An: 'Paschburg, Donald'
Cc: Keller Elsa; Kleiber Katrin; Milzarek Bernd
Betreff: AW: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Hi Don,

again on this case:
I just noticed that I had contacted you already in April 2003.



German Patent
Application - Kw...

Norbert

-----Ursprüngliche Nachricht-----

Von: Moritz Norbert
Gesendet am: Freitag, 19. September 2003 15:11
An: 'Paschburg, Donald'
Cc: Keller Elsa; Kleiber Katrin; Milzarek Bernd
Betreff: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Hallo Don:

one of the (4) inventors of the above mentioned invention is Kwok Tam, SCR.
The invention was made in Germany during his visit here. We filed a German Patent application (DE 10245116, filing date 27.09.2002) in the name of Siemens AG (for details see attachment or IPAS). The application is in the interest of Med CT that has been charged of it. An US application will be filed soon.

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- a) assignment from Tam to SCR
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The assignment(s) might be in English. You may use forms that you use for US procedures, the forms however should at least **assign rights for the US- and the DE-application. For the German office I need the**

documents not later than Dec. 01, 2003.

If you need additional information please contact me. Thank you for your assistance.

Kind regards

Dr. Norbert Moritz

Patent Counsel

European Patent Attorney

Diplom-Physiker

SIEMENS AG

Corporate Intellectual Property

CT IP MED

Erl PG - Paul-Gossen-Straße 100

Tel.: +49 9131 7 32556

Fax: +49 9131 7 32226

Moritz Norbert

Von: PASCHBURG DONALD [Donald.Paschburg@siemens.com]
Gesendet: Freitag, 19. September 2003 16:57
An: 'MEIER ANDREA'
Cc: Keller Elsa; Moritz Norbert; 'PRUIKSMA WALTER'
Betreff: Kwok Tam's Contact Information

Andrea;

We need to get Kwok Tam's signature on some documents. Please provide me with whatever contact information you have.

Don

-----Original Message-----

From: Moritz Norbert [mailto:norbert.moritz@siemens.com]
Sent: Friday, September 19, 2003 10:10 AM
To: 'Paschburg, Donald'
Cc: Keller Elsa; Kleiber Katrin; Milzarek Bernd
Subject: AW: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Hi Don,

again on this case:

I just noticed that I had contacted you already in April 2003.

<<German Patent Application - Kwok Tam.rtf>>

Norbert

> -----Ursprüngliche Nachricht-----

> Von: Moritz Norbert

> Gesendet am: Freitag, 19. September 2003 15:11

> An: 'Paschburg, Donald'

> Cc: Keller Elsa; Kleiber Katrin; Milzarek Bernd

> Betreff: 2002 10995 - Method for Creating an Image with an X-Ray Unit

> Capable of Tomography Containing a Multiple Line X-Ray Detector Array

>

> Hallo Don:

>

> one of the (4) inventors of the above mentioned invention is Kwok Tam,
> SCR. The invention was made in Germany during his visit here. We filed
> a German Patent application (DE 10245116, filing date 27.09.2002) in
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> object

> (26) with an X-ray unit, in particular with a computer tomography device

> (1). The device (1) exhibits a multiple line X-ray detector array (5), an

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> system axis (Z), and a positioning mechanism for positioning the

> examination object (26) in a direction parallel to the system axis (Z) at

> different Z positions relative to the X-ray emitter (2). The picture (B)

> is reconstructed from the raw data generated by the X-ray emitter (2). For

> this, raw data is generated both from a rotation scan and from a

> straight-line scan. During the straight-line scan, all radiography values

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> continuous rotation of the X-ray emitter (2). In order to select a range

> of interest (ROI) of the investigation object (26) for the following

- > rotation scan, a tomogram carried out before the actual rotation scan is
- > the preferable straight-line measuring data set. The procedure enables a
- > particularly fast collection of source data for the following 3D image
- > reconstruction.
- >
- > Fulltext can be found as usually in IPAS.
- >
- > I had entered you as ZIS (=to be asked for foreign filing) in IPAS.
- > But no decision had been entered. Thus I assume SCR is not interested
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- >
- > As you may know it will be necessary to give information to the German
- > Patent and Trademark Office how Siemens AG got the right to apply for
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- > I would like to ask you to provide signed assignment forms that might
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- > Please check whether a direct assignment to Siemens AG is possible. I
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- > for US procedures, the forms however should at least assign rights for
- > the US- and the DE-application. For the German office I need the
- > documents not later then Dec. 01, 2003.
- >
- > If you need additional information please contact me. Thank you for
- > your assistance.
- >
- > Kind regards
- >
- > Dr. Norbert Moritz
- > Patent Counsel
- > European Patent Attorney
- > Diplom-Physiker
- > SIEMENS AG
- > Corporate Intellectual Property
- > CT IP MED
- > Erl PG - Paul-Gossen-Straße 100
- > Tel.: +49 9131 7 32556
- > Fax: +49 9131 7 32226
- >

Moritz Norbert

Von: PASCHBURG DONALD [Donald.Paschburg@siemens.com]
Gesendet: Freitag, 19. September 2003 16:48
An: Keller Elsa; RICHMAN VICKI
Cc: Kleiber Katrin; Milzarek Bernd; Moritz Norbert
Betreff: RE: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Elsa;

Do you prepare these assignments or should Vicki?

Kwok Tam no longer works for SCR so we have to track him down. Does anyone have a copy of an assignment to Siemens AG?

Don

-----Original Message-----

From: Moritz Norbert [mailto:norbert.moritz@siemens.com]
Sent: Friday, September 19, 2003 10:10 AM
To: 'Paschburg, Donald'
Cc: Keller Elsa; Kleiber Katrin; Milzarek Bernd
Subject: AW: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Hi Don,

again on this case:

I just noticed that I had contacted you already in April 2003.

<<German Patent Application - Kwok Tam.rtf>>

Norbert

> -----Ursprüngliche Nachricht-----

> Von: Moritz Norbert

> Gesendet am: Freitag, 19. September 2003 15:11

> An: 'Paschburg, Donald'

> Cc: Keller Elsa; Kleiber Katrin; Milzarek Bernd

> Betreff: 2002 10995 - Method for Creating an Image with an X-Ray Unit

> Capable of Tomography Containing a Multiple Line X-Ray Detector Array

>

> Hallo Don:

>

> one of the (4) inventors of the above mentioned invention is Kwok Tam,

> SCR. The invention was made in Germany during his visit here. We filed

> a German Patent application (DE 10245116, filing date 27.09.2002) in

> the name of Siemens AG (for

> details see attachment or IPAS). The application is in the interest of Med

> CT that has been charged of it. An US application will be filed soon.

>

> Abstract: A procedure for creating an image (B) of an examination

> object

> (26) with an X-ray unit, in particular with a computer tomography device

> (1). The device (1) exhibits a multiple line X-ray detector array (5), an

> X-ray emitter (2) emitting a conical beam that can be rotated around a

> system axis (Z), and a positioning mechanism for positioning the

> examination object (26) in a direction parallel to the system axis (Z) at

> different Z positions relative to the X-ray emitter (2). The picture (B)

> is reconstructed from the raw data generated by the X-ray emitter (2). For

> this, raw data is generated both from a rotation scan and from a

> straight-line scan. During the straight-line scan, all radiography values

> used for picture reconstruction are recorded in one continuous

DBP ist also
mit Assignment
SCR -> SAG
einverstanden

> straight-line scanning movement to enable a rotation scan with preferable
 > continuous rotation of the X-ray emitter (2). In order to select a range
 > of interest (ROI) of the investigation object (26) for the following
 > rotation scan, a tomogram carried out before the actual rotation scan is
 > the preferable straight-line measuring data set. The procedure enables a
 > particularly fast collection of source data for the following 3D image
 > reconstruction.
 >
 > Fulltext can be found as usually in IPAS.
 >
 > I had entered you as ZIS (=to be asked for foreign filing) in IPAS.
 > But no decision had been entered. Thus I assume SCR is not interested
 > in foreign filing (US etc.). Furthermore I expect that SCR is not
 > interested in the DE-application.
 >
 > As you may know it will be necessary to give information to the German
 > Patent and Trademark Office how Siemens AG got the right to apply for
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Moritz Norbert

Von: Moritz Norbert
Gesendet: Freitag, 19. September 2003 15:11
An: 'Paschburg, Donald'
Cc: Keller Elsa; Kleiber Katrin; Milzarek Bernd
Betreff: 2002 10995 - Method for Creating an Image with an X-Ray Unit Capable of Tomography Containing a Multiple Line X-Ray Detector Array

Hallo Don:

one of the (4) inventors of the above mentioned invention is Kwok Tam, SCR.
The invention was made in Germany during his visit here. We filed a German Patent application (DE 10245116, filing date 27.09.2002) in the name of Siemens AG (for details see attachment or IPAS). The application is in the interest of Med CT that has been charged of it. An US application will be filed soon.

Abstract: A procedure for creating an image (B) of an examination object (26) with an X-ray unit, in particular with a computer tomography device (1). The device (1) exhibits a multiple line X-ray detector array (5), an X-ray emitter (2) emitting a conical beam that can be rotated around a system axis (Z), and a positioning mechanism for positioning the examination object (26) in a direction parallel to the system axis (Z) at different Z positions relative to the X-ray emitter (2). The picture (B) is reconstructed from the raw data generated by the X-ray emitter (2). For this, raw data is generated both from a rotation scan and from a straight-line scan. During the straight-line scan, all radiography values used for picture reconstruction are recorded in one continuous straight-line scanning movement to enable a rotation scan with preferable continuous rotation of the X-ray emitter (2). In order to select a range of interest (ROI) of the investigation object (26) for the following rotation scan, a tomogram carried out before the actual rotation scan is the preferable straight-line measuring data set. The procedure enables a particularly fast collection of source data for the following 3D image reconstruction.

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Please check whether a direct assignment to Siemens AG is possible. I expect two signed assignment forms will be necessary

- a) assignment from Tam to SCR
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The assignment(s) might be in English. You may use forms that you use for US procedures, the forms however should at least **assign rights for the US- and the DE-application. For the German office I need the documents not later then Dec. 01, 2003.**

If you need additional information please contact me. Thank you for your assistance.

Kind regards

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Tel.: +49 9131 7 32556
Fax: +49 9131 7 32226

Moritz Norbert

Von: Moritz Norbert
Gesendet: Montag, 28. April 2003 10:02
An: 'Paschburg, Donald'
Cc: Schmidt Heinz
Betreff: German Patent Application - Kwok Tam

German Patent Application 2002P10995DE:

"Verfahren zur Erzeugung eines Bildes mittels eines tomographiefähigen Röntgengeräts mit mehrzelligem Röntgendetektorarray"

Applicant: Siemens AG (S AG)

Invention Disclosure: 2002 E 15712 DE

"Volumenabtastung mit Sequencescans und Topogram für Flächendetektor-CT"

Don:

The above mentioned invention was made during a visit of Kwok Tam in DE. There are 3 co-inventors of Med CT. Up to now Med CT has not decided for foreign filing but I expect they will at least decide for US.

In any case: For the German Patent- and Trademark Office I need an assignment to S AG. **Deadline is Dec 27, 2003.**

Therefore, please prepare an assignment for the invention share from Mr. Tam. I expect an assignment from Mr. Tam to SCR and another one from SCR to S AG will be necessary. An assignment to SMS may be appropriate in the cases that are handled by IPD US but not in this case because the first filing was done in the name of S AG.

As I know from discussions with Mr. Dall'Asta, SCR has no problem to assign inventions, that have not been basically (ZKD) financed, to S AG or SMS without anything in exchange. And SCR normally has no interest in filing patents outside the US, do they ?

Thus I expect no problem for assigning to S AG. Similar cases - like 96E3268 - have been handled in the same way by Mr. Trapp and Mr. L. C. Edelman.

Kind regards

Norbert

Dr. Norbert Moritz

Patent Counsel

European Patent Attorney

Diplom-Physiker

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Dr. Moritz
12. SEP. 2003

Moritz Norbert

Von: PASCHBURG DONALD [Donald.Paschburg@siemens.com]
Gesendet: Freitag, 22. November 2002 15:19
An: Moritz Norbert
Cc: KELLER ELSA; Dall'Asta Silvano
Betreff: RE: 200210629 / 2002E02790 - Tam Kwok

Norbert;

Thank you for contacting me on this matter.

The way we normally handle patents where there are two Siemens entities involved is that there is an assignment to each of the Siemens entities. If we have a PG inventor and a Med inventor, the patent is assigned to both, PG and Med. If the inventor is from Siemens AG and SCR, we get the Siemens AG inventor to execute an assignment to Siemens AG and we include both Siemens AG and SCR as assignees. According to Kwok Tam's Intellectual Property Agreement that he signed when he joined Siemens, he must assign his inventions to SCR. We will forward the required document to Kwok and upon his execution of the document, we will forward it to you.

To get SCR to assign a patent to Siemens AG is not as easy and I don't think it is necessary. I would have to get a corporate officer of SCR to agree to such an assignment and they would probably want something in exchange. In the past, we just included both parties, Siemens AG and SCR as Assignees.

Sincerely;

Don

Donald B. Paschburg
Senior Intellectual Property Counsel
Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830
732-321-3191 (Phone)
732-321-3030 (Fax)

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-----Original Message-----

From: Moritz Norbert [mailto:norbert.moritz@siemens.com]
Sent: Friday, November 22, 2002 9:07 AM
To: 'PASCHBURG DONALD'
Cc: Keller Elsa
Subject: 200210629 / 2002E02790 - Tam Kwok

Dear Mr. Paschburg,

one of the (4) inventors of the above mentioned invention is Kwok Tam, SCR. The invention was made in Germany. We filed a German Patent application (DE 10248766.9, filing date 18.10.2002) in the name of Siemens AG recently (for

details see attachment or IPAS). The application is in the interest of Med CT that has been charged of it.

<<Hauptblatt 200210629.pdf>> <<Prüfungsfassung 200210629.rtf>>

As you may know it will be necessary to give information to the German Patent and Trademark Office how Siemens AG got the right to apply for patent (alone). Also in the case of foreign filing in the US we will have the same problem with the assignment.

Therefore I would like to ask you whether SCR wants to be a co-applicant in this case. In the case SCR has no interest - what I expect, as the invention is totally specific to CT - I would like to ask you to provide two signed assignment forms that might also be used in a later US procedure:

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Kind regards

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<<Moritz Norbert.vcf>>

Moritz Norbert

Von: PASCHBURG DONALD [Donald.Paschburg@siemens.com]
Gesendet: Freitag, 22. November 2002 15:25
An: RICHMAN VICKI
Cc: Moritz Norbert; KELLER ELSA; Dall'Asta Silvano
Betreff: FW: 200210629 / 2002E02790 - Tam Kwok



Hauptblatt
200210629.pdf



Priofassung
200210629.rtf



Moritz Norbert.vcf

Vicki;

Please prepare the required Assignment and forward it to Kwok for his signature. If you have any questions, please contact me.

Don

-----Original Message-----

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Von: Moritz Norbert
Gesendet: Freitag, 22. November 2002 15:07
An: 'PASCHBURG DONALD'
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Hauptblatt
200210629.pdf



Priofassung
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Fax: +49 9131 7 32226



Moritz Norbert.vcf

Otzelberger Annamaria

Von: Otzelberger Annamaria
Gesendet: Freitag, 2. Januar 2004 10:33
An: Keller Elsa
Betreff: Erfinderunterschriften des Herrn Kwok Tam zu 2002P10629 US

Sehr geehrte Frau Keller,

im Nachgang zum Mail vom 30.12.03 bitte ich Sie, dass Sie sich wegen der Unterschrift auch noch wegen der zweiten Anmeldung 2002P10629 US mit Herrn Dr. Kwok Tam in Verbindung setzen. Diese Unterlagen wurden am 09.12.03 mit Kurier an den Erfinder gesandt.

Mit freundlichen Grüßen
A. Otzelberger

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